IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

DONNA CURLING, et al.,

:

Plaintiffs, :

v. : CIVIL ACTION NO. : 1:17-CV-2989-AT

BRAD RAFFENSPERGER, et al.,

:

Defendants.

ORDER

The Court requests clarification of the scope of requested injunctive relief at issue in this case.

The Curling Plaintiffs' May 30, 2019 Motion for Preliminary Injunction seeks relief for all elections scheduled after June 30, 2019. (Curling Pls.' Mot. for Prelim. Inj., Doc. 387-8 at 2.) The Coalition Plaintiffs' June 21, 2019 Motion for Preliminary Injunction seeks relief for elections held after October 1, 2019. (Coalition Pls.' Mot. for Prelim. Inj., Doc. 419-2 at 2; Coalition Pls.' Reply, Doc. 507 at 4-5.)

Based on the current record before the Court, the majority of the anticipated county and municipal elections are slated to be held in November 2019. However, Fulton County is preparing to conduct two elections on September 17, 2019, including the District 6 position for the Fulton County Board of Commissioners

and an open position on the Atlanta Public School Board. (Fulton Cty. Resp. to Mot. for Prelim. Inj., Doc. 473 at 4.) Absentee voting is scheduled to commence on August 26, 2019. (*Id.* at 4-5.)

Neither group of Plaintiffs explicitly addresses in their Reply briefs the arguments of the Fulton County Defendants in response to the preliminary injunction motions. And the Curling Plaintiffs' Reply is less than clear on whether they seek relief related to the elections conducted by the Fulton County Defendants. (See Curling Pls.' Reply, Doc. 510 at 4 ("The Curling Plaintiffs' proposed system . . . is feasible to implement before November . . .") (emphasis added); id. at 5 ("Therefore, the State must be made to transition to a paper ballot system now before further elections are run on a system that is almost certainly compromised and which the State itself admits is readily hackable.") (emphasis added).

Accordingly, the Court **DIRECTS** the Curling Plaintiffs to clarify whether they are seeking an Order from this Court to enjoin the use of DREs in time for the September 2019 Fulton County/Atlanta Public School Board elections **NO LATER THAN 6:00 PM ON TUESDAY, JULY 23, 2019**.

IT IS SO ORDERED this 22nd day of July, 2019.

AMY TOTENBERG

UNITED STATES DISTRICT JUDGE